

The Court will address Plaintiff's pending motions, as they do not relate to Plaintiff's appeal. See In re Bryant, 175 B.R. 9, at *11 (W.D. Va. Nov. 2, 1994). As for Plaintiff's motion for default judgment [Doc. 40], it will be denied. Defendants' time to respond to Plaintiff's


Amended Complaint had not expired at the time Plaintiff filed his motion. As such, no grounds exist for an entry of default, let alone default judgment. Fed. R. Civ. P. 55. Further, Defendants have since answered Plaintiff's Amended Complaint.

As for Plaintiff's motion to participate in the Pro Se Settlement Assistance Program (the "Program") [Doc. 52], this motion will also be denied. Generally, this Program is available for voluntary application in all civil cases in which any party appears pro se. The Program, however, does not apply to prisoner civil rights cases, such as the case brought by Plaintiff here. [Case No. 3:13-mc-00134-FDW, Docs. 1, 2].

IT IS THEREFORE ORDERED that:

- (1) Plaintiff's Motion for Default Judgment [Doc. 40] is **DENIED**.
- (2) Plaintiff's Motion to Participate in the "Pro Se Settlement Assistance Program" [Doc. 52] is **DENIED**.

Signed: March 3, 2020


Frank D. Whitney
Chief United States District Judge 